

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KENTUCKY POWER COMPANY FAILURE TO)	
COMPLY WITH THE COMMISSION'S)	CASE NO. 9989
REGULATION 807 KAR 5:006, SECTION 24)	

SHOW CAUSE ORDER

On April 11, 1987, Daniel Burke, a resident of Little Creek, Yeager, Kentucky, was fatally injured immediately after dynamiting a water well. Mr. Burke was holding the detonating wires and using the battery in his truck for a power supply. The detonating wires were blown out of the well and made contact with a 7,200 volt primary line located about 55 feet above the ground. Mr. Burke was electrocuted at the time the detonating wires contacted the 7,200 volt primary.

On April 13, 1987, Jeffery L. Gilpin, a senior investigator of the Commission staff, investigated the accident after reading about it in the April 13, 1987, edition of the Lexington, Kentucky, Herald-Leader. Mr. Gilpin contacted Wayne B. Edwards, Safety and Health Manager, Kentucky Power Company ("Kentucky Power"), by telephone and asked why the accident had not been promptly reported to the Commission as specified in 807 KAR 5:006, Section 24, of the Commission's Regulations. Mr. Edwards said the accident would have been reported to the Commission after more information about the accident had been gathered. Kentucky Power's written report was filed with the Commission on April 22, 1987, 11 days after the date of this fatal accident. This is also

in violation of the Commission's Regulation 807 KAR 5:006, Section 24, which states a summary written report shall be filed within 7 days of a fatal accident. A copy of this accident investigation is included as Appendix A to this Order.

On June 11, 1987, Danny L. Brumfield, an employee of Floyd S. Pike Electrical Contractor, Inc., was injured while installing a pole top cut-out. The wrench he was using slipped and came into contact with an energized primary conductor, causing an arc to start between conductors. Mr. Brumfield was apparently wearing all necessary personal safety equipment. The injuries he received appeared to have been caused when his clothes were ignited by the arc. Kentucky Power's written report was not received by the Commission until July 1, 1987, following a telephone request by the Commission staff on June 30, 1987. This is a violation of 807 KAR 5:006, Section 24, of the Commission's Regulations, which states that a summary written report shall be submitted within 7 days of the date of an accident. A copy of this accident investigation is included as Appendix B to this Order.

FINDINGS AND ORDER

The Commission, having considered the evidence of record and being advised, is of the opinion and finds that:

1. Pertaining to the accident of April 11, 1987, Kentucky Power violated the Commission's Regulation 807 KAR 5:006, Section 24, by failing to report a fatal accident in a prompt manner by telephone or telegraph, and also by not filing a summary written report within 7 days of a fatal accident, both as prescribed in the said regulation.

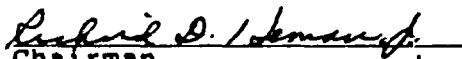
2. Pertaining to the accident of June 11, 1987, Kentucky Power violated the Commission's Regulation 807 KAR 5:006, Section 24, by failing to submit a summary written report within 7 days of the subject accidents, as prescribed in the said regulation.

3. Kentucky Power should be required to appear and explain the reasons why the Commission's Regulation was violated and present a detailed plan to prevent the reoccurrence of this violation, and to show cause if any it can, why the Commission should not impose penalties pursuant to KRS 278.990.

IT IS THEREFORE ORDERED that Kentucky Power shall appear before the Commission on August 20, 1987, at 9:00 A.M., Eastern Daylight Time, in the Commission's offices at Frankfort, Kentucky, for the purpose of presenting evidence related to its program to ensure compliance with 807 KAR 5:006, Section 24, of the Commission's Regulations, and to show cause if any it can, why the Commission should not impose penalties pursuant to KRS 278.990.

Done at Frankfort, Kentucky, this 7th day of August, 1987.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE PUBLIC SERVICE
COMMISSION IN CASE NO.9989 DATED 8/7/87

ELECTRICAL UTILITY ACCIDENT INVESTIGATION

DATE OF THIS REPORT 7-6-87 SUBMITTED BY Jeffery L. Gilpin
NAME OF UTILITY Kentucky Power Company
ACCIDENT REPORTED BY Wayne Edwards
DATE & TIME ACCIDENT REPORTED 6-12-87 10:14 A.M.
DATE AND TIME ACCIDENT OCCURRED 6-11-87 Approximately 1:30 P.M.
DATE OF ACCIDENT INVESTIGATION 6-12-87
DATE SUMMARY WRITTEN REPORT WAS RECEIVED FROM UTILITY 6-31-87
PERSONS ASSISTING IN THE INVESTIGATION Todd Jones and Charles Burchett
of Appalachian Power; John Land of the Commission staff.

NAME OF VICTIM(S) 1. Danny Brumfield SEX M AGE 28
FATAL No NAME OF EMPLOYER: Floyd S. Pike Electrical
Contractor

INJURIES Second and third degree burns to the front of his body.

2. _____ SEX _____ AGE _____
FATAL _____ NAME OF EMPLOYER: _____
INJURIES _____

3. _____ SEX _____ AGE _____
FATAL _____ NAME OF EMPLOYER: _____
INJURIES _____

ELECTRICAL UTILITY ACCIDENT INVESTIGATION (Continued)

LOCATION OF ACCIDENT SITE Jesse Branch Coal Company just south of Phelps, Kentucky.

DESCRIPTION OF ACCIDENT The victim was installing a pole top cut-out when the wrench he was using slipped and came into contact with an energized primary conductor causing an arc to start between conductors. Victim was apparently wearing all necessary personal safety equipment and the injuries that he received appeared to have been caused when his clothes were ignited by the arc.

SOURCE OF INFORMATION Todd Jones and Charles Burchett of Appalachian Power Company; Summary accident report from Kentucky Power Company; onsite investigation.

VIOLATIONS OF COMMISSION REGULATIONS The utility's summary written report was not received until June 31, 1987, following a telephone request by the Commission staff on June 30, 1987. This is in violation of 807 KAR 5:006, Section 24, which states that a summary written report shall be submitted within seven days of the date of an accident.

RECOMMENDATIONS In order for the utility to be in compliance with 807 KAR 5:006, Section 24 it needs to submit a summary written report within seven days of the date of an accident.

CORRECTIVE ACTION None

None

LINE CLEARANCES

	<u>As Measured</u>	<u>Minimum Allowed by NESC</u>
A. AT POINT OF ACCIDENT		
Phase conductor to ground elevation:	<u>N/A</u>	<u>N/A</u>
Neutral conductor to ground elevation:	<u>N/A</u>	<u>N/A</u>
Communication conductor to ground elevation:	<u>N/A</u>	<u>N/A</u>
Phase conductor to structure:	<u>N/A</u>	<u>N/A</u>
Neutral conductor to structure:	<u>N/A</u>	<u>N/A</u>
Communication conductor to structure:	<u>N/A</u>	<u>N/A</u>
B. AT LOWEST POINT OF SPAN		
Phase conductor to ground elevation:	<u>N/A</u>	<u>N/A</u>
Neutral conductor to ground elevation:	<u>N/A</u>	<u>N/A</u>
Communication conductor to ground elevation:	<u>N/A</u>	<u>N/A</u>
C. SPAN LENGTH <u>N/A</u>		
Date the line or facilities were constructed: <u>N/A</u>		
Utility: <u>Kentucky Power Company</u>		
Date: <u>6-12-87</u> Time <u>4:35 P.M.</u>		
Approximate temperature: <u>65 Degrees F</u>		
Measurements made by: <u>N/A</u>		
Submitted by: _____		



KENTUCKY POWER COMPANY

1701 CENTRAL AVENUE, P.O. BOX 1428, ASHLAND, KY 41106-1428
Telephone (606) 327-1111

June 30, 1987

RECEIVED

Public Service Commission
Division of Engineering and Services
PO Box 615
730. Schenkel Lane
Frankfort, KY 40601

0
DIVISION OF UTILITY
ENGINEERING & SERVICES

ATTN: J. Gilpin

Dear Sir:

As we discussed by telephone on June 30, 1987, attached is a copy of the accident report relative to Danny L. Brumfield, an employee of Floyd S. Pike Electrical Contractor, Inc.

This accident occurred June 11, 1987 and was investigated on our behalf by Appalachian Power Company representatives.

If additional information is needed, contact me at 606/327-1271.

Sincerely,

Wayne B. Edwards
Safety & Health Manager

ct
Attachment



Post Office Box 480, Logan, West Virginia 25601
Telephone: area code 204-752-6530

June 23, 1987

Ms. Joyce Mathot
IMA Building, Parkway Center
875 Greentree Road
Pittsburgh, Pennsylvania 15220

Dear Ms. Mathot:

Attached you will find an accident report involving Danny L. Brumfield, age 28, an employee for Floyd S. Pike, Electrical Contractor who came in contact with an energized conductor.

The injured received 2nd and 3rd degree burns to the front of his body and is presently in the Cabell Huntington Hospital, Huntington, West Virginia.

A sketch and diagram of the structure is incomplete at this time and will be forthcoming.

Attached you will also find a copy of the accident report completed by the foreman of the crew.

If additional information becomes available it will be forwarded.

Very truly yours,

John R. Skidmore
Administrative Assistant

JRS:ewc

cc: L. G. Zawodniak - Columbus
D. E. Forbes - Roanoke
~~Wayne Edwards~~ - Ashland
R. D. Carson, Jr. - Roanoke
D. J. Raymond - Alexander & Alexander



LIABILITY ACCIDENT NOTICE - NON-AUTOMOBILE

FILE NO.

ESIS/INA USE ONLY

CONTRACT # 1005	NAME OR COMPANY APPALACHIAN POWER COMPANY
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CODES	
	LOCATION NUMBER

(1) COMPANY	NAME APPALACHIAN POWER COMPANY		PHONE 304-752-5531
	ADDRESS P.O. Box 480, Logan, West Virginia 25601		
(2) TIME & PLACE	DATE & TIME OF LOSS OR ACCIDENT 6/11/87 1:30 A.M. <input type="checkbox"/> P.M. <input checked="" type="checkbox"/>		LOCATION Jessie Branch Coal Co. Janboree, KY
(3) INJURED PERSON	NAME Danny Lee Brumfield		AGE 28
	ADDRESS Crum, West Virginia		<input type="checkbox"/> HOME PHONE <input checked="" type="checkbox"/> BUS. 304-752-0819
	OCCUPATION A Lineman	EMPLOYED BY: Floyd S. Pike Electrical Contractor, Inc.	
	WHAT WAS THE INJURED DOING WHEN HURT? Attempting to install a cut-out on a crossarm.		
(4) THE INJURY	NATURE & EXTENT OF INJURY The injured received 2nd and 3rd degree burns to the front of his body.		
	WHERE WAS INJURED TAKEN AFTER ACCIDENT? Appalachian Regional Hospital, Williamson, WV transferred to Cabell/Huntington Hospital		NAME OF DOCTOR Unknown
	PROBABLE DISABILITY Unknown.		HAS INJURED RESUMED WORK? No.
(5) PROPERTY DAMAGE	OWNER None.	ADDRESS	<input type="checkbox"/> HOME PHONE <input checked="" type="checkbox"/> BUS.
	LIST DAMAGE		ESTIMATED COST OF REPAIR
(6) WITNESSES	NAME Donnie Lee Smith - crew foreman		<input checked="" type="checkbox"/> HOME PHONE <input checked="" type="checkbox"/> BUS. 304-752-0819
	ADDRESS Chapmanville, West Virginia		
	NAME William J. Morris - A lineman		<input type="checkbox"/> HOME PHONE <input checked="" type="checkbox"/> BUS. 304-752-0819
	ADDRESS Henlawson, West Virginia		
	NAME Stanley H. Davis - C lineman		<input type="checkbox"/> HOME PHONE <input checked="" type="checkbox"/> BUS. 304-752-0819
	ADDRESS Inez, Kentucky		
	NAME		<input type="checkbox"/> HOME PHONE <input type="checkbox"/> BUS.
	ADDRESS		
IT IS IMPORTANT TO GIVE THE FULL NAME AND ADDRESS OF EVERY WITNESS			
NAME		<input type="checkbox"/> HOME PHONE <input type="checkbox"/> BUS.	
ADDRESS			

(7) DESCRIPTION OF ACCIDENT <hr/>	BE PARTICULAR TO OBTAIN THE NAMES AND ADDRESSES OF DISINTERESTED WITNESSES WHO KNOW ANYTHING ABOUT THE OCCURRENCE INCLUDING DATE, BADGE NO. OR NAME OF POLICE AUTHORITY TO WHOM THE ACCIDENT WAS REPORTED.
	On 6/11/87 at 1:30 p.m., Danny Lee Smith, age 28 of Crum, WV while
	working for Floyd S. Pike Electrical Contractor came in contact with an
	energized conductor causing 2nd and 3rd degree burns to his person.
	While attempting to install a cut-out the wrench the injured was using
	slipped causing him to make contact with an energized conductor.
	Danny was taken to Appalachian Regional Hospital and later taken to
	Cabell/Huntington Hospital in Huntington, West Virginia.
	The foreman for the crew was Donnie Lee Smith of Chapmanville, WV and
	other crew members were William J. Morris of Henlawson, WV and Stanley
	H. Davis of Inez, Kentucky.
	IT IS IMPORTANT THAT ANY ARTICLE, PART, OR APPLIANCE CAUSING THE OCCURRENCE BE CAREFULLY PRESERVED.

SKETCH IF APPROPRIATE

See attachment.

DOES ANY OTHER INSURANCE APPLY?

☐ YES

☐ NO

IF YES, IDENTIFY:

June 23, 1987
DATE

John R. Fairmore
SIGNATURE OF CLIENT

FLOYD S. PIKE ELECTRICAL CONTRACTOR, INC.

ACCIDENT REPORT FOR ON THE JOB INJURY

Name of foreman Donnie Lee Smith Date of accident 6/11/87
 Where did accident happen Phelos Kentucky
 City State
 Time of accident 1:30 P.M. Weather at time of accident Sunny
 Name of injured Danny Lee Brumfield Social Security No. Unknown
 Address Crum, W.V. Date Employed Unknown
 Married Single ☒ Age 28 No. children under 18 years of age None
 Job classification A Lineman Pay rate \$14.12
 Nature of injuries Burn
 Name of Doctor consulted Dr. Wheeler Address Huntington
 Name of hospital, if any Cabell Huntington Address Huntington
 Was injured confined to hospital yes Estimated time out of work Unknown
 If lost time accident, what was last day injured worked 6/11 Date 87 A.M. 1:30
 If injury was due to electrical burn, what was voltage 7200 was accident caused by injured's failure to use of observe safety appliance or regulation No
 If answer is yes explain fully _____

Describe in detail how the accident occurred Danny Brumfield was burned while installing
out put or crossarm. While he was tightening a bolt his wrench slipped. It then came
down with a hot conductor causing the T-bracket and crossarm to come loose and fall on him.
the wrenching he received 2nd and 3rd degree burns on his body. Danny was in no safety harness.
It was hoses on the guys and one hose on a central. He also had tar blankets on conductors.
le 6-12-87 Signed by Donnie Lee Smith (Cont. on back) →

TE: The above form is to be completed in full by the foreman or supervisor on the job, as soon as possible after the accident happens. This form must be signed by the supervisor or foreman in charge of job and mailed immediately to the home office in Mt. Airy, N.C..

After the incident Danny was transferred from Williamson to Cabell Huntington Hospital, In The New Burn Center

William J. Morris	A Lineman	Age - 31
Stanley H. Davis	Chineman	Age - 32
Donnie L. Smith	Foreman	Age - 34

Address - Chapmanville, WV

Address - INEZ, KY

Address - Henlawson, WV

APPENDIX B

APPENDIX TO AN ORDER OF THE PUBLIC SERVICE
COMMISSION IN CASE NO.9989 DATED 8/7/87

ELECTRICAL UTILITY ACCIDENT INVESTIGATION

DATE OF THIS REPORT 4-30-87 SUBMITTED BY Jeffery L. Gilpin
NAME OF UTILITY Kentucky Power Company
ACCIDENT REPORTED BY Accident was not reported.
DATE & TIME ACCIDENT REPORTED N/A
DATE AND TIME ACCIDENT OCCURRED 4-11-87 4:30 P.M.
DATE OF ACCIDENT INVESTIGATION 4-13-87 12:30 P.M.
PERSONS ASSISTING IN THE INVESTIGATION L.J. Horne, Chuck Ferguson--
Kentucky Power Company

NAME OF VICTIM(S) 1. Daniel Burke SEX M AGE 35
FATAL Yes NAME OF EMPLOYER: Johnson Brothers Coal Company
INJURIES _____

2. _____ SEX _____ AGE _____
FATAL _____ NAME OF EMPLOYER: _____
INJURIES _____

3. _____ SEX _____ AGE _____
FATAL _____ NAME OF EMPLOYER: _____
INJURIES _____

CORRECTIVE ACTION

CORRECTIVE ACTION

LINE CLEARANCES

	<u>As Measured</u>	<u>Minimum Allowed by NESC</u>
A. AT POINT OF ACCIDENT		
Phase conductor to ground elevation:	<u>Greater than 50'</u>	<u>20'</u>
Neutral conductor to ground elevation:	<u>Greater than 50'</u>	<u>18'</u>
Communication conductor to ground elevation:	<u>47' 2"</u>	<u>18'</u>
Phase conductor to structure:	<u>N/A</u>	<u>N/A</u>
Neutral conductor to structure:	<u>N/A</u>	<u>N/A</u>
Communication conductor to structure:	<u>N/A</u>	<u>N/A</u>
B. AT LOWEST POINT OF SPAN		
Phase conductor to ground elevation:	<u>Greater than 50'</u>	<u>20'</u>
Neutral conductor to ground elevation:	<u>Greater than 50'</u>	<u>18'</u>
Communication conductor to ground elevation:	<u>47' 2"</u>	<u>18'</u>
C. SPAN LENGTH <u>N/A</u>		
Date the line or facilities were constructed: _____		
Utility: <u>Kentucky Power Company</u>		
Date: <u>4-13-87</u> Time <u>1:00 P.M.</u>		
Approximate temperature: <u>74 Degrees F</u>		
Measurements made by: <u>Jeffery L. Gilpin</u>		

Submitted by: Jeffery L. Gilpin



KENTUCKY POWER COMPANY

1701 CENTRAL AVENUE, P.O. BOX 1428, ASHLAND, KY 41106-1428
Telephone (606) 327-1111

April 20, 1987

RECEIVED

APR 22 1987

DIVISION OF UTILITY
ENGINEERING & SERVICE

Claude G. Rhorer, Jr., Director
Division of Engineering and Services
Public Service Commission
730 Schenkel Lane
PO Box 615
Frankfort, KY 40602

Dear Sir:

This is to confirm my telephone report on April 13, 1987 of an accident involving a member of the public, Mr. Daniel Burke. The accident occurred April 11 and was investigated by Mr. Jeffery L. Gilpin on April 13.

As requested, attached is a copy of the accident report filed by Kentucky Power Company's Pikeville Division representatives following their investigation.

Sincerely,

Wayne B. Edwards
Safety & Health Manager

cc
Attachment



LIABILITY ACCIDENT NOTICE - NON-AUTOMOBILE

FILE NO.

ESIS/HNA USE ONLY

CONTRACT #

NAME OR COMPANY

#ISL GO 313723-5

INSURANCE COMPANY OF NORTH AMERICA

LOCATION CODES

1

2

3

4

06102

(1) COMPANY	NAME KENTUCKY POWER COMPANY		PHONE 606-437-3777
	ADDRESS 305 Main Street, Pikeville, KY. 41501		
(2) TIME & PLACE	DATE & TIME OF LOSS OR ACCIDENT 4-11-87 4:30 A.M. <input type="checkbox"/> P.M. <input checked="" type="checkbox"/>		LOCATION Right Fork of Little Cr., Yeager, KY.
(3) INJURED PERSON	NAME DANNY BURKE		AGE 34
	ADDRESS Little Creek, Yeager, KY.		<input type="checkbox"/> HOME <input type="checkbox"/> BUS. PHONE
	OCCUPATION Unknown-coal related	EMPLOYED BY:	
	WHAT WAS THE INJURED DOING WHEN HURT? Helping friend dynamite water well. (see attached)		
(4) THE INJURY	NATURE & EXTENT OF INJURY Fatal		
	WHERE WAS INJURED TAKEN AFTER ACCIDENT? Pikeville Methodist Hospital		NAME OF DOCTOR Unknown
	PROBABLE DISABILITY N/A		HAS INJURED RESUMED WORK?
(5) PROPERTY DAMAGE	OWNER N/A	ADDRESS	<input type="checkbox"/> HOME <input type="checkbox"/> BUS. PHONE
	LIST DAMAGE		ESTIMATED COST OF REPAIR
(6) WITNESSES	NAME Elsworth Osborne		<input checked="" type="checkbox"/> HOME <input type="checkbox"/> BUS. PHONE 606-639-2300
	ADDRESS Collins Highway, Pikeville, KY.		
	NAME		<input type="checkbox"/> HOME <input type="checkbox"/> BUS. PHONE
	ADDRESS		
	NAME		<input type="checkbox"/> HOME <input type="checkbox"/> BUS. PHONE
	ADDRESS		
	NAME		<input type="checkbox"/> HOME <input type="checkbox"/> BUS. PHONE
	ADDRESS		
IT IS IMPORTANT TO GIVE THE FULL NAME AND ADDRESS OF EVERY WITNESS	NAME		<input type="checkbox"/> HOME <input type="checkbox"/> BUS. PHONE
	ADDRESS		

(7)

BE PARTICULAR TO OBTAIN THE NAMES AND ADDRESSES OF DISINTERESTED WITNESSES WHO KNOW ANYTHING ABOUT THE OCCURRENCE INCLUDING DATE, BADGE NO. OR NAME OF POLICE AUTHORITY TO WHOM THE ACCIDENT WAS REPORTED.

Kentucky State Police

DESCRIPTION
OF
ACCIDENT

See attached.

IT IS IMPORTANT THAT ANY ARTICLE, PART, OR APPLIANCE CAUSING THE OCCURRENCE BE CAREFULLY PRESERVED.

SKETCH IF APPROPRIATE

See attached.

DOES ANY OTHER INSURANCE APPLY?

☐ YES

☒ NO

IF YES, IDENTIFY:

4-13-87

CH Ferguson

SUMMARY OF ACCIDENT INVOLVING DANNY BURKE:

This accident occurred at the head of the right fork of Little Creek, south of Pikeville, Kentucky. It happened about 4:30 p.m. on Saturday, April 11, 1987. The only witness to the accident was Elsworth Osborne, who lives in the same area and who was with the victim who was trying to clear debris from a water well by using dynamite.

The victim was doing the work to help a friend and reportedly used dynamite in the past on various coal mining operations. Whether he was a licensed blaster has not been determined and a report from the investigating state police officers will not be available for about ten days.

According to Osborne, the victim lowered the explosives about 75 feet into the well, was using electric caps and the battery in a Ford pickup as a detonator. In the truck were the victim's wife and daughter but they reportedly did not witness the incident because the hood of the truck prevented them from seeing anything to the front of the vehicle.

The shooting wire was blown out of the well and made contact with the 7,200 volt primary located more than 50 feet above the ground. A Public Service Commission employee measured the distance from the ground to the neutral at more than 50 feet and then estimated the primary was about 55 feet off the ground at this location.

The victim was holding the ends of the shooting wire, a yellow-covered strand estimated to be about 22 gauge. He was taken to a hospital via ambulance and was dead on arrival.